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RUEHPE/AMEMBASSY LIMA 2915  
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RUEHMN/AMEMBASSY MONTEVIDEO 4806  
RUEHPO/AMEMBASSY PARAMARIBO 0084  
RUEHQT/AMEMBASSY QUITO 5371  
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TAGS: [ECON](#) [PGOV](#) [PREL](#) [BL](#)  
SUBJECT: PUNCHES AND PROTESTS IN CONGRESS AND SUCRE

Classified By: Acting EcoPol chief Brian Quigley for reasons 1.4 b,d

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Summary  
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11. (C) Fisticuffs in Congress forced the opposition and ruling party Movement Toward Socialism (MAS) delegates to retreat to separate buildings on August 22. The MAS delegates were later reconvened in the Vice Presidential offices and voted by "majority of those present" (that is, the majority of the MAS congress members only) to send the Senate an impeachment case against four of Bolivia's five Constitutional Tribunal judges, who were thereby automatically suspended. The suspension leaves Bolivia with no working Constitutional Tribunal, as the one remaining judge cannot reach a quorum; therefore Bolivia now has no constitutional oversight body. Nor does Bolivia currently have a functioning Constituent Assembly, as protests in Sucre have led to the indefinite closure of the Constituent Assembly. La Paz civic groups, including FEJUVE El Alto (which in the past has shut down El Alto and was responsible for organizing much of the 1-million-person-plus protest against moving the capital from La Paz) are traveling to Sucre on August 23 to "defend the Constituent Assembly."

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Violence in Congress  
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12. (C) Violence broke out in the lower house of Congress, where on August 22 opposition and MAS members of congress exchanged blows. After the session disbanded, MAS representatives of the lower house adjourned to the Vice Presidential offices where they voted (61 out of 68, with no opposition members present) to send an impeachment case against four of Bolivia's five Constitutional Tribunal magistrates to the Senate. This formal declaration means that the four judges are immediately and indefinitely suspended: Emboff spoke with one magistrate who confirmed the suspension as of the afternoon of August 22.

¶3. (C) Although Vice President Garcia Linera has already convoked a session of congress to elect replacement judges, it is unlikely that the MAS will have the required two thirds vote of the combined lower and upper houses needed to elect new judges. The suspension of the magistrates, with no substitutes currently available, effectively leaves Bolivia without a legal body providing constitutional interpretation and oversight. The suspension comes at a particularly critical time, when many of the issues that were being debated in the Constituent Assembly (before the Assembly itself was suspended) are open to constitutional interpretation. It also leaves President Evo Morales's executive branch with more unfettered powers.

¶4. (C) In a meeting the evening of August 22, Senate President Jose Villavicencio, a member of the opposition party National Unity, told Emboffs that it will take up to five days for the senate to receive the case and that once it does he will ensure a speedy trial (a week or so by his estimates) and the 'correct' verdict (innocent). Although the Senate would need a two-thirds majority of those present to convict or acquit the judges, if a two-thirds majority cannot be reached the judges are found innocent and reinstated to the Constitutional Tribunal. The judges are also innocent and reinstated if the Senate decides there is not enough evidence or finds that there was no crime to begin with. However, Senator Villavicencio also told Emboffs that the MAS has threatened to bring two other cases against the magistrates, if the first impeachment case does not succeed in removing them from office.

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Violence in Sucre  
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¶5. (C) In Bolivia's constitutional capital Sucre, protesters clashed with police on August 22, leaving at least ten wounded. The protests were aimed at delaying a meeting of the Constituent Assembly: at stake for Sucre is the possible relocation of the full capital from La Paz to Sucre (currently only the judicial branch is headquartered in Sucre.) Sucre wants this issue to be considered by the Constituent Assembly, which is tasked with drafting Bolivia's new constitution. However, on August 15th the ruling Movement Toward Socialism (MAS) party delegates in the Constituent Assembly and some opposition representatives from La Paz voted by simple majority to remove this issue from consideration in the Constituent Assembly. Since decisions in the Constituent Assembly require a two-thirds majority, and since many observers detected the heavy hand of Evo Morales's executive branch interfering in the supposedly-independent Assembly, Sucre residents declared the vote illegal and began a series of protests and strikes which have brought the city to a standstill. On August 22 there were also rumors that MAS assembly members intended to approve (again by simple majority) the draft constitution they had submitted to Congress, which, among other changes, would allow for indefinite reelection of the President.

¶6. (C) There is potential for increased violence, especially since Emboffs have learned that El Alto civic groups are traveling to Sucre on August 23, in order to "protect the Constituent Assembly." Press reports indicate that Constituent Assembly members representing La Paz were harassed as they left the Assembly August 22 after the sessions were suspended. Reportedly singled out for insults and physical aggression was Humberto Tapia, the representative of the La Paz Red Ponchos (a militant indigenous group.) A MAS assembly member from Santa Cruz resigned from the Assembly on August 23, citing frustration with the way the Assembly was progressing (or not progressing). Contacts in Sucre inform us that Santa Cruz residents are among the protesters in Sucre. The combination of protesting Sucre and Santa Cruz citizens and civic-group "defenders" from La Paz could prove to be explosive. In a meeting with Emboffs on August 22, Santa Cruz Business Federation (CAINCO) President Gabriel Dabdoub said that he is fearful Sucre is on the brink of serious violence and that

"with one or two deaths there will be no more game rules to follow."

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Battle Lines and Battle Plans  
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¶7. (C) Although there is no widespread violence throughout Bolivia, tensions are on the rise. Many observers feel that President Morales' race-based rhetoric is dividing the country. The east-west split between the richer, whiter east and the poorer, more-indigenous west grows wider every time Evo flexes La Paz muscles against the media luna (the eastern departments of Pando, Beni, Santa Cruz, Tarija and, increasingly, Chuquisaca, which did not vote for autonomy in the 2006 referendum but has been shoved into the embrace of the media luna by the MAS's strong-arm techniques over the question of the capital's location.) Unfortunately, Evo's policies serve to underline differences within Bolivia rather than highlight similarities (note: Evo still enjoys high approval ratings on average, but there is a noticeable split between east and west and city and rural: the west and the countryside remain Evo's base of power. End note.)

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Comment  
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¶7. (C) In his meeting with Emboffs, Senate President Jose Villavicencio opined that Evo's weakest point is the economy and inflation in particular; Evo's price-cap policies suggest that he is aware of this weakness. Meanwhile, opposition leaders inform Emboffs that their goal is to keep President Evo Morales "unbalanced but not unhinged"...a fine line to walk. As his popularity takes hits and formerly supportive groups such as the cooperative miners begin to draw away from the MAS, Evo may begin to feel himself backed into a corner--and he is the type to come out swinging. End comment.

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